

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

SYED ASKARI,

Plaintiff,

v.

No. 2:22-cv-00984-KRS

TAJ AND ARK, LLC,

Defendant.

MEMORANDUM OPINION AND ORDER TO SHOW CAUSE

THIS MATTER comes before the Court on *pro se* Plaintiff's Complaint, Doc. 3, filed December 28, 2022.¹

Plaintiff alleges that Defendant underpaid or evaded payment of taxes to the Internal Revenue Service ("IRS"). *See* Complaint at 1. Plaintiff's request for relief states:

I believe that the Department of Treasury, the Internal Revenue Service is entitled to a relief of an amount including of [sic] thousands of dollars including interest with penalty for the past nine years for unreported income or non-payment or underpayment of the lawful portion of the taxes to the IRS. The money belongs to the IRS, and the defendant should give the money back to the government.

Complaint at 3.

¹ The Clerk's Office assigned the undersigned to this case for review pursuant to 28 U.S.C. § 1915 which allows the Court to authorize commencement of a case without prepayment of the filing fee. *See* Doc. 2, filed December 28, 2022. Plaintiff has paid the filing fee. *See* Doc. 5, filed December 28, 2022. The undersigned has reviewed the Complaint pursuant to the Court's inherent power to manage its docket. *See Securities and Exchange Comm'n v. Management Solutions, Inc.*, 824 Fed.Appx. 550, 553 (10th Cir. 2020) ("a district court has the inherent power 'to manage [its] own affairs so as to achieve the orderly and expeditious disposition of cases'") (quoting *Dietz v. Bouldin*, 136 S. Ct. 1885, 1891-92 (2016)).

The Complaint should be dismissed for failure to state a claim upon which relief can be granted. Plaintiff is not a licensed attorney authorized to practice in this Court. The claims Plaintiff is asserting on behalf of the IRS should be dismissed because "[a] litigant may bring his own claims to federal court without counsel, but not the claims of others." *Fymbo v. State Farm Fire & Cas. Co.*, 213 F.3d 1320, 1321 (10th Cir. 2000). Furthermore, the Complaint does not allege that Defendant harmed Plaintiff. *See Nasious v. Two Unknown B.I.C.E. Agents, at Arapahoe County Justice Center*, 492 F.3d 1158, 1163 (10th Cir. 2007) ("[T]o state a claim in federal court, a complaint must explain what each defendant did to him or her; when the defendant did it; how the defendant's action harmed him or her; and, what specific legal right the plaintiff believes the defendant violated.").

The Court orders Plaintiff to show cause why this case should not be dismissed for failure to state a claim upon which relief can be granted. If Plaintiff asserts that this case should not be dismissed, Plaintiff must file an amended complaint which states a claim over which the Court has jurisdiction.

IT IS ORDERED that Plaintiff shall, within 21 days of entry of this Order, show cause why the Court should not dismiss this case. Failure to timely show cause and file an amended complaint may result in dismissal of this case.


UNITED STATES MAGISTRATE JUDGE